

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88793

Masanori ABE, et al.

Appln. No.: 10/540,839

Group Art Unit: 1794

Confirmation No.: 8993

Examiner: Daniel H. MILLER

Filed: June 27, 2005

For: CORROSION RESISTANT MEMBER AND PROCESS OF PRODUCING THE SAME

REQUEST FOR REFUND

MAIL STOP 16

Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby respectfully requests a refund in the amount of \$810.00. This refund is to be credited to Deposit Account No. 19-4880.

The undersigned discussed this matter with Brenda Murphy of Technology Center 1700.

See the attached Notice of Improper Request for Continued Examination (RCE).

Ms. Murphy indicated that even though in the Action of October 17, 2008 in **Office Action Summary** block 2a) "This action is **FINAL**" was checked, the Examiner indicated to her that the Action was not a Final rejection.

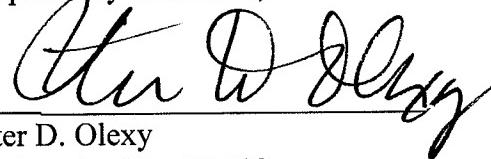
Accordingly, despite the fact that the block was checked in **Office Action Summary** indicating that the rejection was Final, the Rejection was not Final and the RCE was unnecessary.

REQUEST FOR REFUND
U.S. Appln. No.: 10/540,839

Attorney Docket No.: Q88793

Given the above circumstances, refund of the RCE Fee in the amount of \$810.00 is
requested.

Respectfully submitted,



Peter D. Olexy
Registration No. 24,513

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

65565

CUSTOMER NUMBER

Date: December 15, 2008